

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1024 be amended to read as follows:

- 1 Page 3, between lines 18 and 19, begin a new paragraph and insert:
2 "SECTION 4. IC 3-8-1-1.6 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1.6. (a) This
4 section does not apply to a candidate ~~for a school board office; unless~~
5 **the candidate is required to file a campaign finance statement of**
6 **organization under IC 3-9-1-5 or IC 3-9-1-5.5.**
7 (b) Not later than noon fourteen (14) days after the final day for
8 filing a declaration of candidacy, declaration of intent to be a write-in
9 candidate, petition of nomination, certificate of nomination, or
10 certificate of candidate selection under IC 3-13-1-15 or IC 3-13-2-8,
11 the election division or county election board shall determine if a
12 candidate has complied with IC 3-9-1-5 **or IC 3-9-1-5.5 (if applicable)**
13 by filing any campaign finance statement of organization required for
14 the candidate's committee.
15 SECTION 5. IC 3-8-2-2.2 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2.2. (a) A
17 candidate for a school board office must file a petition of nomination
18 in accordance with IC 3-8-6 and as required under IC 20-3 or IC 20-4.
19 The petition of nomination, once filed, serves as the candidate's
20 declaration of candidacy for a school board office.
21 (b) A candidate for a school board office is not required to file a
22 statement of organization for the candidate's principal committee by
23 noon seven (7) days after the final date for filing a petition of
24 nomination or declaration of intent to be a write-in candidate unless the

1 candidate has received contributions or made expenditures requiring
 2 the filing of a statement under ~~IC 3-9-1-5~~ **IC 3-9-1-5.5**.

3 SECTION 6. IC 3-8-2-2.5, AS AMENDED BY P.L.202-1999,
 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JANUARY 1, 2001]: Sec. 2.5. (a) A person who desires to be a write-in
 6 candidate for a federal, state, legislative, or local office or school board
 7 office in a general, municipal, or school board election must file a
 8 declaration of intent to be a write-in candidate with the officer with
 9 whom declaration of candidacy must be filed under sections 5 and 6 of
 10 this chapter.

11 (b) The declaration of intent to be a write-in candidate required
 12 under subsection (a) must be signed before a person authorized to
 13 administer oaths and must certify the following information:

14 (1) The candidate's name must be printed or typewritten as:

15 (A) the candidate wants the candidate's name to appear on the
 16 ballot; and

17 (B) the candidate's name is permitted to appear on the ballot
 18 under IC 3-5-7.

19 (2) A statement that the candidate is a registered voter and the
 20 location of the candidate's precinct and township (or ward and
 21 city or town), county, and state.

22 (3) The candidate's complete residence address, and if the
 23 candidate's mailing address is different from the residence
 24 address, the mailing address.

25 (4) The candidate's party affiliation or a statement that the
 26 candidate is an independent candidate (not affiliated with any
 27 party).

28 (5) A statement of the candidate's intention to be a write-in
 29 candidate, the name of the office, including the district, and the
 30 date and type of election.

31 (6) If the candidate is a candidate for the office of President or
 32 Vice President of the United States, a statement declaring the
 33 names of the individuals who have consented and are eligible to
 34 be the candidate's candidates for presidential electors.

35 (7) A statement that the candidate:

36 (A) is aware of the provisions of IC 3-9 regarding campaign
 37 finance and the reporting of campaign contributions and
 38 expenditures; and

39 (B) agrees to comply with the provisions of IC 3-9.

40 The candidate must separately sign the statement required by this
 41 subdivision.

42 (8) A statement as to whether the candidate has:

43 (A) been a candidate for state or local office in a previous
 44 primary or general election; and

45 (B) filed all reports required by IC 3-9-5-10 for all previous
 46 candidacies.

(9) If the candidate is subject to IC 3-9-1-5, a statement that the candidate has filed a campaign finance statement of organization for the candidate's principal committee or is aware that the candidate may be required to file a campaign finance statement of organization not later than noon seven (7) days after the final date to file the declaration of intent to be a write-in candidate under section 4 of this chapter.

(10) ~~A statement that~~ If the individual is a candidate for a school board office, **is subject to IC 3-9-1-5.5, a statement that** the candidate is required to file a campaign finance statement of organization under IC 3-9 after the first of either of the following occurs:

(A) The candidate receives more than five hundred dollars (\$500) in contributions. ~~as a school board candidate.~~

(B) The candidate makes more than five hundred dollars (\$500) in expenditures. ~~as a school board candidate.~~

(11) A statement that the candidate complies with all requirements under the laws of Indiana to be a candidate for the above named office, including any applicable residency requirements, and that the candidate is not ineligible to be a candidate due to a criminal conviction that would prohibit the candidate from serving in the office.

(12) The candidate's signature and telephone number.

(c) At the time of filing the declaration of intent to be a write-in candidate, the write-in candidate is considered a candidate for all purposes.

(d) A write-in candidate must comply with the requirements under IC 3-8-1 that apply to the office to which the write-in candidate seeks election.

(e) A person may not be a write-in candidate in a contest for nomination or for election to a political party office.

(f) A write-in candidate for the office of President or Vice President of the United States must list at least one (1) candidate for presidential elector and may not list more than the total number of presidential electors to be chosen in Indiana.

(g) The commission shall provide that the form of a declaration of intent to be a write-in candidate includes the following information near the separate signature required by subsection (b)(7):

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(h) A declaration of intent to be a write-in candidate must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of intent to be a write-in candidate. If there is a difference between the name on the candidate's declaration of intent to

1 be a write-in candidate and the name on the candidate's voter
 2 registration record, the officer with whom the declaration of intent to
 3 be a write-in candidate is filed shall forward the information to the
 4 voter registration officer of the appropriate county as required by
 5 IC 3-5-7-6(e). The voter registration officer of the appropriate county
 6 shall change the name on the candidate's voter registration record to be
 7 the same as the name on the candidate's declaration of intent to be a
 8 write-in candidate.

9 SECTION 7. IC 3-8-6-12, AS AMENDED BY P.L.176-1999,
 10 SECTION 33, AND AS AMENDED BY P.L.202-1999, SECTION 8,
 11 IS AMENDED AND CORRECTED TO READ AS FOLLOWS
 12 [EFFECTIVE JANUARY 1, 2001]: Sec. 12. (a) A petition of
 13 nomination for an office filed under section 10 of this chapter must be
 14 filed with and certified by the person with whom a declaration of
 15 candidacy must be filed under IC 3-8-2.

16 (b) The petition of nomination must be accompanied by the
 17 following:

18 (1) ~~Each~~ The candidate's written consent to become a candidate.

19 (2) A statement that the candidate:

20 (A) is aware of the provisions of IC 3-9 regarding campaign
 21 finance and the reporting of campaign contributions and
 22 expenditures; and

23 (B) agrees to comply with the provisions of IC 3-9.

24 The candidate must separately sign the statement required by this
 25 subdivision.

26 (3) If the candidate is subject to IC 3-9-1-5, a statement by the
 27 candidate that the candidate has filed a campaign finance
 28 statement of organization under IC 3-9-1-5 or is aware that the
 29 candidate may be required to file a campaign finance statement of
 30 organization not later than noon seven (7) days after the final date
 31 for filing a petition for nomination under section 10 of this
 32 chapter.

33 (4) ~~A statement that~~ If the individual is a candidate for a school
 34 board office, **is subject to IC 3-9-1-5.5, a statement by the**
 35 **candidate that** the candidate is aware of the requirement to file
 36 a campaign finance statement of organization under IC 3-9 after
 37 the first of either of the following occurs:

38 (A) The candidate receives more than five hundred dollars
 39 (\$500) in contributions. ~~as a school board candidate.~~

40 (B) The candidate makes more than five hundred dollars
 41 (\$500) in expenditures. ~~as a school board candidate.~~

42 (5) A statement indicating whether or not each candidate:

43 (A) has been a candidate for state or local office in a previous
 44 primary or general election; and

45 (B) has filed all reports required by IC 3-9-5-10 for all
 46 previous candidacies.

(6) A statement that each candidate is legally qualified to hold the office that the candidate seeks, including any applicable residency requirements and restrictions on service due to a criminal conviction.

(7) If the petition is filed with the secretary of state for an office not elected by the electorate of the whole state, a statement signed by the circuit court clerk of each county in the election district of the office sought by the individual.

(8) *Any statement of economic interests required under IC 3-8-1-33.*

(c) The statement required under subsection (b)(7) must:

(1) be certified by each circuit court clerk; and

(2) indicate the number of votes cast for secretary of state:

(A) at the last election for secretary of state; and

(B) in the part of the county included in the election district of the office sought by the individual filing the petition.

(d) The secretary of state shall, by noon August 20, certify each petition of nomination filed in the secretary of state's office to the appropriate county.

(e) The commission shall provide that the form of a petition of nomination includes the following information near the separate signature required by subsection (b)(2):

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(f) *A candidate's consent to become a candidate must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the consent to become a candidate. If there is a difference between the name on the candidate's consent to become a candidate and the name on the candidate's voter registration record, the officer with whom the consent to become a candidate is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's consent to become a candidate.*

SECTION 8. IC 3-9-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) Except as provided in subsection (b), this chapter applies to candidates in all elections and caucuses and to the following types of committees:

(1) Candidate's committees.

(2) Regular party committees.

(3) Political action committees.

(4) Legislative caucus committees.

(b) This chapter does not apply to the following:

(1) ~~Elections to~~ **A candidate for a local office** for which the compensation is less than five thousand dollars (\$5,000) per year **unless the candidate is required to file a written instrument designating a principal committee under section 5.5 of this chapter.**

(2) ~~Candidates~~ **A candidate** for school board office ~~except a~~ **unless the candidate who** is required to file a written instrument designating a principal committee under ~~section 5~~ **section 5.5** of this chapter.

(3) Elections for precinct committeeman or delegate to a state convention.

(4) An auxiliary party organization.

SECTION 9. IC 3-9-1-5 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JANUARY 1, 2001]: Sec. 5. (a) **This section does not apply to the following candidates:**

(1) **A candidate for a local office for which the compensation is less than five thousand dollars (\$5,000) per year.**

(2) **A candidate for a school board office.**

(b) Each candidate shall have a principal committee.

~~(b) This subsection does not apply to a candidate for school board office. No~~ (c) **Not** later than:

(1) noon ten (10) days after becoming a candidate; or

(2) noon seven (7) days after the final date and hour for filing a:

(A) declaration of candidacy under IC 3-8-2;

(B) petition of nomination under IC 3-8-6;

(C) certificate of nomination under IC 3-8-7-8;

(D) certificate of candidate selection under IC 3-13-1 or IC 3-13-2; or

(E) declaration of intent to be a write-in candidate under IC 3-8-2;

whichever occurs first;

the candidate shall file a written instrument designating the name of the principal committee and the names of the chairman and treasurer of the committee.

~~(c) This subsection applies to a candidate for school board office. Not later than noon ten (10) days after either:~~

~~(1) the candidate receives more than five hundred dollars (\$500) in contributions as a school board candidate; or~~

~~(2) the candidate makes more than five hundred dollars (\$500) in expenditures as a school board candidate;~~

~~whichever occurs first, the candidate shall file a written instrument designating the name of the principal committee and the names of the chairman and treasurer of the committee.~~

(d) This designation may be made on the same instrument as the statement of organization required from the principal committee.

SECTION 10. IC 3-9-1-5.5 IS ADDED TO THE INDIANA CODE

AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: **Sec. 5.5. (a) This section applies to the following candidates:**

(1) A candidate for a local office for which the compensation is less than five thousand dollars (\$5,000) per year.

(2) A candidate for a school board office.

(b) A candidate shall have a principal committee.

(c) Not later than noon ten (10) days after either:

(1) the candidate receives more than five hundred dollars (\$500) in contributions; or

(2) the candidate makes more than five hundred dollars (\$500) in expenditures;

whichever occurs first, the candidate shall file a written instrument designating the name of the principal committee and the names of the chairman and treasurer of the committee.

(d) This designation may be made on the same instrument as the statement of organization required from the principal committee.

SECTION 11. IC 3-9-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 6. If a candidate fails to file the instrument required by section 5 **or 5.5** of this chapter, the candidate's principal committee is designated as "the _____ (insert the name of the candidate) for _____ (insert the title of the office sought by the candidate) committee". The candidate is then both chairman and treasurer of the committee.

SECTION 12. IC 3-9-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) Except as provided in subsections (b) and (c), this chapter applies to candidates in all elections and caucuses and to the following types of committees:

(1) Candidate's committees.

(2) Regular party committees.

(3) Political action committees.

(4) A legislative caucus committee.

(b) Sections 2 through 10 of this chapter do not apply to the following:

~~(1) Elections to local offices for which the compensation is less than five thousand dollars (\$5,000) per year.~~

~~(2) elections for precinct committeeman or delegate to a state convention.~~

(c) Section 9 of this chapter ~~does not apply~~ **applies** to a candidate ~~for school board office unless only if~~ the candidate is required to file a written instrument designating a principal committee under IC 3-9-1-5 **or IC 3-9-1-5.5.**

(d) Sections 9 and 10 of this chapter apply to an auxiliary party organization.

SECTION 13. IC 3-9-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) Except as provided in

subsection (b), this chapter applies to candidates in all elections and caucuses and to the following types of committees:

- (1) Candidate's committees.
- (2) Regular party committees.
- (3) Political action committees.
- (4) A legislative caucus committee.

(b) This chapter does not apply to the following:

- (1) ~~Elections to~~ **A candidate for a local offices office** for which the compensation is less than five thousand dollars (\$5,000) per year **unless the candidate is required to file a written instrument designating a principal committee under IC 3-9-1-5.5.**
- (2) Elections for precinct committeeman or delegate to a state convention.
- (3) A candidate for a school board office ~~except a~~ **unless the candidate who** is required to file a written instrument designating a principal committee under ~~IC 3-9-1-5.~~ **IC 3-9-1-5.5.**
- (4) An auxiliary party organization.

SECTION 14. IC 3-9-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) Except as provided in subsection (b), this chapter applies to candidates in all elections and caucuses and to the following types of committees:

- (1) Candidate's committees.
- (2) Regular party committees.
- (3) Political action committees.
- (4) A legislative caucus committee.

(b) This chapter does not apply to the following:

- (1) ~~Elections to~~ **A candidate for a local or school board offices office** for which the compensation is less than five thousand dollars (\$5,000) per year **unless the candidate is required to file a written instrument designating a principal committee under IC 3-9-1-5.5.**
- (2) ~~Candidates~~ **A candidate** for school board office ~~except a~~ **unless the candidate who** is required to file a written instrument designating a principal committee under ~~IC 3-9-1-5.~~ **IC 3-9-1-5.5.**

- 1 (3) Elections for precinct committeeman or delegate to a state
- 2 convention.
- 3 (4) An auxiliary party organization."
- 4 Renumber all SECTIONS consecutively.
(Reference is to HB 1024 as printed January 20, 2000.)

Representative Young M